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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,243	01/27/2004	Mohammad Ali Saffari	112300-1794	8934
<div><div><div>7590</div><div>Bell, Boyd & Lloyd LLC</div><div>P.O. Box 1135</div><div>Chicago, IL 60690-1135</div></div><div>07/09/2007</div></div>				
<div>EXAMINER</div> <div>KIM, ANDREW</div>				
<div>ART UNIT</div> <div>PAPER NUMBER</div> <div>3714</div>				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/767,243

Applicant(s)

SAFFARI ET AL.

Examiner

Andrew Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 and 42-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 and 42-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to the amendment filed on 4/23/07 in which:

- Claims 1, 22, 34, 42-49, and 52-58 have been amended.
- Claims 40 and 41 have been canceled.
- Claim 59 has been added.
- Response to claims rejection have been filed.
- Claims 1-39, and 42-59 are currently pending.
- Applicant overcomes the double patenting rejection by filing a terminal disclaimer.

Specification

Claim 42 is objected to because of the following informalities: Improperly dependent off a cancelled claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 34, and 52 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitations "first form" and "selectable

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form” are indefinite and is open to interpretation. For example, the first form may be interpreted as a first form of display. For examination purposes, “first form” has been interpreted as “first monetary form” and likewise for “selectable form”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-39 and 42-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Weiss (US 6,511,377).

Claims 1, 22, 52. Weiss discloses an invention operated under the control of a processor, said gaming device comprising:

a wagering game controlled by the processor (fig. 1);

a display device controlled by the processor (fig. 1);

an input device operably connected to the processor (fig. 1); and

a cash out menu selectively displayed by the display device when a player selects the input device,

the cash out menu enabling the player to request a payout to the player of a first amount of a certain credit total displayed by the display device in a first form and a transfer of a second amount of the certain credit total to a casino account, wherein the first form is different than the casino account and the first and second amounts are both deducted from the certain credit total (fig. 8, withdrawals, col. 15, 16, 20:16-22, 21:15, 24:36-59).

Claims 2, 23. Weiss discloses an invention wherein the wagering game is selected from the group consisting of: slot, poker, keno, blackjack, craps and bingo (col. 7, line 12).

Claims 3, 53. Weiss discloses an invention wherein the first form is selected from the group consisting of: coins, tokens, a ticket, a credit card crediting, a debit card crediting, a promotional ticket, a jackpot ticket and any combination thereof (summary, col. 2-4).

Claims 4, 24. Weiss discloses an invention wherein the casino account is accessible via a player tracking card (col. 3, lines 56-67).

Claims 5, 25. Weiss discloses an invention wherein the casino account is communicated through a player tracking card network (col. 3, lines 41-55).

Claims 6, 26. Weiss discloses an invention wherein the casino account is accessible with a device different than a player tracking card (col. 3, line 15).

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Claims 7, 27. Weiss discloses an invention wherein the casino account is communicated through a network different than a player tracking card network (col. 3, line 15).

Claims 8, 28. Weiss discloses an invention wherein the casino account is communicated through a ticketing network (col. 20).

Claims 9, 30. Weiss discloses an invention wherein the casino account is accessible at multiple casinos (fig. 1).

Claims 10, 31. Weiss discloses an invention wherein the casino account is accessible for non-gaming purchases (col. 7).

Claims 11, 32. Weiss discloses an invention wherein the casino account is accessible for transferring funds between multiple machines (fig. 8).

Claims 12, 29. Weiss discloses an invention wherein said the cashout menu includes a selector that enables the player to select the first amount (fig. 4a).

Claims 13, 29. Weiss discloses an invention wherein the cashout menu includes a selector that enables the player to select the second amount (fig. 4a).

Claim 14. Weiss discloses an invention wherein the cashout menu includes input devices configured so that the first and second amounts do not necessarily add to a total cash out (claim 2).

Claims 15, 33. Weiss discloses an invention wherein increasing the first amount automatically decreases the second amount and increasing the second amount automatically decreases the first amount (col. 7).

Claim 16. Weiss discloses an invention wherein the cash out menu includes a display of an addition of the first amount of the player's money and the second amount of the player's money (col. 11 and 12).

Claim 17. Weiss discloses an invention wherein the cash out menu includes a cancel selector that cancels the request (fig. 4a).

Claim 18. Weiss discloses an invention wherein the cash out menu includes a selector that returns the player to the wagering game (fig. 4).

Claim 19. Weiss discloses an invention wherein the cash out menu includes a selector that enables the player to transfer funds between multiple machines (fig. 8).

Claims 20, 21. Weiss discloses an invention wherein the game is provided via a data network to a computer storage device (col. 17, line 11).

Claim 34. A networking system for a plurality of gaming devices, said system comprising:

a plurality of gaming devices located at a gaming establishment, each gaming device operating a game upon a wager by a player (col. 7, lines 1-25);

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a server computer and a communications link linking the server computer to the plurality of gaming devices (col. 7, lines 25-45); and

a fund transfer account program stored by a memory device, said program executable by the server computer, for at least one of said gaming devices:

(a) cause said gaming device to selectively display a cashout menu

(b) enable the player to transfer a first amount of a certain credit total display by said gaming device to a casino account using said cashout menu

(c) enable the player to request a payout of a second amount of the certain credit total in a selectable form using said cashout menu, wherein the first amount may be retrieved at a later time and the first and second amounts are deducted from the certain credit total (fig. 8, withdrawals, col. 15, 16, 20:16-22, 21:15, 24:36-59).

Claim 35. Weiss discloses an invention wherein the server computer is located in the same establishment as the multiple gaming devices (fig. 1).

Claim 36. Weiss discloses an invention wherein the server computer is located in a different establishment than the multiple gaming devices (fig. 1).

Claim 37. Weiss discloses an invention wherein the communications link also communicates ticketing information to and from the gaming devices (col. 20).

Claim 38. Weiss discloses an invention wherein the server computer also controls a player tracking program offered by the establishment (col. 7).

Claim 39. Weiss discloses an invention wherein the communications link also communicates player tracking information from the gaming devices (col. 7).

Claim 42. Weiss discloses an invention wherein the selectable form is selected from the group consisting of: coins, tokens, a ticket, a credit card crediting a debit card crediting, a player tracking card crediting, a jackpot crediting and any combination thereof (fig. 4a, col. 15 and 16, withdrawals).

Claim 43. Weiss discloses an invention wherein the player is enabled to retrieve selectable portions of the first amount at the later time (fig. 8).

Claim 44. Weiss discloses an invention wherein the player is enabled to retrieve the first amount at one of the gaming devices (fig. 8).

Claim 45. Weiss discloses an invention wherein the player is enabled to retrieve the first amount at a location distinct from the gaming device (col. 16, line 37).

Claim 46. Weiss discloses an invention wherein the gaming device is a first gaming device, and wherein the first amount is able to be retrieved at a second gaming device (fig. 8).

Claim 47. Weiss discloses an invention wherein a portion of the first amount is able to be retrieved at a third gaming device (fig. 8).

Claim 48. Weiss discloses an invention wherein the player is a first player and the first amount is able to be retrieved at the second gaming device by a second player (col. 9, line 20).

Claim 49. The system of claim 46, wherein the monetary amount is able to be retrieved at the second gaming device by the same player (fig. 8).

Claim 50. Weiss discloses an invention wherein the casino account is accessed via a card accepted by one of the gaming devices, and wherein the card is additionally accepted at locations within a gaming establishment that are distinct from the gaming devices (background).

Claim 51. Weiss discloses an invention wherein the card is additionally accepted at locations outside the gaming establishment (background, system of claim 50).

Claim 54. Weiss discloses an invention wherein step (a) includes providing the menu when the player selects a cash out input device provided on the gaming device (col. 7).

Claim 55. Weiss discloses an invention wherein step (a) includes displaying on the menu the sum of the first portion and the second portion of the certain credit total (claim 2).

Claim 56. Weiss discloses an invention wherein step (a) includes displaying on the menu an input that triggers payment of certain credit total in the first form (fig. 4a).

Claim 57. Weiss discloses an invention wherein step (a) includes displaying on the menu an input that triggers a crediting of certain credit total to the casino account (fig. 4a).

Claim 58. Weiss discloses an invention which includes enabling the player to transfer a third portion of the amount to a different gaming device (fig. 8).

Claim 59. Weiss discloses a ticketing system accessible through the gaming devices (col. 20).

Response to Arguments

Applicant's arguments filed 4/23/07 have been fully considered but they are not persuasive.

Regarding claims 1, 22, 34 and 52, with respect to the two deductions occurring to a certain credit total, the examiner respectfully asserts that the credit meter (88) in col. 16:40 and col. 24:54 is indeed the certain credit total.

Regarding claim 52, with respect to the limitation "same cashout," the examiner respectfully asserts that since the limitation has not been defined by the spec, it has been interpreted to mean "a period of time when only withdrawals are occurring." That is, a period of time when the game is not being played or deposits are being made.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AK 7/5/2007

/John M Hotaling II/

John M Hotaling II Primary Examiner 3714